

REMARKS

By the subject amendment claim 29 has been amended to incorporate the features of claim 33 with some modification. Claim 33 has been cancelled. Claim 29 has also been amended to broaden the claim language references to the "top joint", "splay bar", and the first and second side beams. References to the "predetermined angle" have been deleted and re-introduced in new claim 41. Claim 29 remains the sole independent claim.

Claims 29-32, 34, 35, 37-41 are presently pending in the subject application.

In his report, the Examiner has objected to claims 30 and 32 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description. These claims have been amended to overcome this objection. This amendment has been made solely in response to the 35 U.S.C. 112, first paragraph objection.

The Examiner has also objected to claim 36 under 35 U.S.C. 112, second paragraph, as being indefinite. Claim 36 has been cancelled, solely in response to the 35 U.S.C. 112, second paragraph objection.

In his report, the Examiner has indicated that claims 33-35 would be allowable if written in independent form including all of the limitations of the base claim and any intervening claims.

Applicant has rewritten claim 29 to include the following feature of claim 33 relating to the splay bar:

"(iii) a pair of spaced opposed flanks extending outwardly from each guiding surface in parallel alignment dimensioned to accept a lumber leg between each pair of spaced opposing flanks;"

As well the claim describes that a pair of lumber legs may be positioned between:

"adjacent outwardly facing lumber leg guiding surfaces and between each respective pair of flanks of the splay bar"

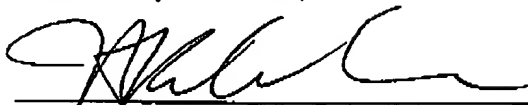
It should further be noted that applicant has amended all the claims to delete the unnecessary descriptors "U-beam" and "bracket beam", substituting the terms "first beam" and "second beam", respectively. The term "U-beam" describing the top joint and splay bar have also been deleted.

Applicant has also deleted references to the "predetermined angle" which is re-introduced in new claim 41.

Applicant submits that amended claim 29 patentably distinguishes over all the art of record, including that cited by the Examiner in his report of January 21, 2004. As the other claims all depend directly, or indirectly, on claim 29, they should also be allowable based on the allowance of Claim 29.

Favorable reconsideration and allowance of this application is requested.

Respectfully submitted;



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